

1 HB92  
2 155666-2  
3 By Representative Beckman (N & P)  
4 RFD: Local Legislation  
5 First Read: 14-JAN-14  
6 PFD: 01/06/2014

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ENROLLED, An Act,

Relating to Elmore County; to amend Section 45-26-81.22 of the Code of Alabama 1975, authorizing the judge of probate to establish a policy on the sale of or access to computerized index information or digitized images; to provide further for the use of funds received from the sale of such information.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-26-81.22 of the Code of Alabama 1975, is amended to read as follows:

"§45-26-81.22.

"(a) In Elmore County, a special recording fee of three dollars (\$3) shall be collected by the office of the judge of probate on each real or personal property, Uniform Commercial Code, judicial, or other instrument recorded or filed for record. The special recording fees shall be in addition to all other fees, taxes, and other charges required by law to be paid upon the recording or filing for record of any real or personal property, Uniform Commercial Code, judicial, or other instrument. All fees collected shall be deposited by the judge of probate in any depository in the county as designated by the county governing body.

"(b) The fees collected under this section shall be expended at the discretion of the judge of probate with the

1 approval of the county commission for the preservation and  
2 restoration of court records and documents and to develop,  
3 purchase, install, upgrade, and maintain a computerized system  
4 for recording, indexing, imaging, and storing of real and  
5 personal property records, Uniform Commercial Code filings,  
6 judicial proceedings, financial accounts, and any other  
7 records required to be maintained by the office of the judge  
8 of probate and the probate court.

9 "(c) The judge of probate may retain all or parts of  
10 court records for archival purposes utilizing optical disks,  
11 or other acceptable computerized methods for records storage,  
12 or any combination thereof. The use of microfilm to retain and  
13 archive court records in the county may be discontinued and  
14 replaced with digitized or scanned images of records committed  
15 to optic disks, or the like. Records archived and retained on  
16 optic disks, or the like, shall constitute official records of  
17 the office of the judge of probate and of the probate court  
18 and may be compiled and certified and sold to the public in  
19 accordance with applicable statutes. All funds collected for  
20 copies and certifications shall be paid to the county general  
21 fund.

22 "(d) The judge of probate from time to time shall  
23 establish a policy on the sale of or access to computerized  
24 index information and digitized images maintained in the  
25 office of the judge of probate and in the probate court. All

1 funds received from the sale of the information and images  
2 shall be paid to the county general fund ~~for purposes of~~  
3 ~~establishing and maintaining the archival and indexing~~  
4 ~~equipment~~ and expended at the discretion of the judge of  
5 probate for acquiring and maintaining equipment, improving the  
6 efficiency of the operations of the office, supplementing  
7 salaries, and acquiring and maintaining office space.

8 "(e) This section is cumulative. Nothing contained  
9 in this section shall alter or change an existing law relating  
10 to charges and fees to be collected by the Judge of Probate of  
11 Elmore County."

12 Section 2. This act shall become effective on the  
13 first day of the third month following its passage and  
14 approval by the Governor, or its otherwise becoming law.

